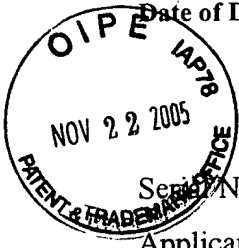


Express Mail Label No.: EV781042458US

Date of Deposit: November 22, 2005

Attorney Docket Number: 18921-001 NATL



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. : 09/936,095 Confirmation No. 9297
Applicant(s) : Derek L. Stemple, *et al.*
Filing Date : June 6, 2002
TC/A.U. : 1637
Examiner : Teresa E. Strzelecka
Docket No. : 18921-001 NATL
Customer No. : 35437
For : **METHOD FOR DIRECT NUCLEIC ACID SEQUENCING**

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES**

Pursuant to 37 C.F.R. §41.31, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's May 23, 2005 Office Action finally rejecting the claims in the above-identified application. A check in the amount of \$250.00 for filing this appeal is enclosed herewith pursuant to 37 C.F.R. §§41.20(b)(1) and 1.17(b) for a small entity. Applicants are filing concurrently herewith a petition for a three-month extension of time pursuant to 37 C.F.R. §1.136(a)(1) and the fee as required under 37 C.F.R. §1.17(a)(3). With the extension, the Notice of Appeal is due on or before November 23, 2005.

The USPTO is authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. **50-0311**, Customer No. **35437**, Reference No. **18921-001 NATL**. A duplicate copy of this Notice is enclosed.

Date: November 22, 2005

Respectfully submitted,

A handwritten signature in cursive script that reads "Eric Sinn".

Ivor R. Elrifi, Reg. No. 39,529

Eric Sinn, Reg. No. 40,177

Attorneys for Applicants

MINTZ, LEVIN, COHN, *et al.*

Customer Number: 35437

666 Third Avenue-24th Floor

New York, New York 10017

Telephone: (212) 935-3000

Telefax: (212) 983-3115

11/28/2005 TBESHAH1 00000003 09936095

01 FC:2401

250.00 OP